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4 Attorneys for Defendant USAA

5  
6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

8 SAMUEL W. OETINGER,

9 Plaintiff,

10 v.

11 USAA CASUALTY INSURANCE COMPANY,

12 Defendant.

Case No. \_\_\_\_\_

13 **NOTICE OF REMOVAL**

14 Pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441, USAA Casualty Insurance  
15 Company, the party in the above matter, gives notice that Case No. 3SW-17-00033 CI, as  
16 captioned above, is hereby removed to the United States District Court for the District of  
17 Alaska from the Superior Court for the State of Alaska, Third Judicial District at Seward,  
18 where said case was originally filed and is currently pending. USAA Casualty Insurance  
19 Company state:  
20

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1. Removing party, USAA Casualty Insurance Company, is the defendant in the above-captioned action;
2. On April 20, 2017, the above-entitled action was commenced against USAA Casualty Insurance Company in the Superior Court for the State of Alaska, Third Judicial District at Seward and is presently pending in that court;<sup>1</sup>
3. USAA Casualty Insurance Company was served with a summons and complaint on April 24, 2017;
4. This Notice is filed within thirty (30) days of the date of the original service on defendant;
5. The above-entitled action involves citizens of different states, in that, at the time of the commencement of this action, Plaintiff was a citizen of the State of Alaska and resided in Alaska. USAA Casualty Insurance Company is, and was at all times pertinent to this action, a Texas corporation. Thus, complete diversity exists between Plaintiff and Defendant;<sup>2</sup>
6. The amount in controversy, exclusive of interest and costs, is alleged to be in excess of \$100,000, as more fully appears in the Complaint, a copy of which is attached to this Notice and made by reference a part hereof;

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<sup>1</sup> The listed Defendant is incorrectly named as USAA Casualty Insurance Company ("USAA CIC") The correct entity is USAA General Indemnity Company ("USAA GIC") which is the insurer under policy number 027388603G71016.

<sup>2</sup> USAA GIC is also a Texas corporation and therefore complete diversity still exists regardless of the name of the Defendant listed.

8. A copy of all process, pleadings, and orders served upon defendant USAA Casualty Insurance Company is filed herewith in the Notice of Filing Pleadings.

FARLEY &amp; GRAVES, P. C.

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**CERTIFICATE OF SERVICE**

Pursuant to Civil Rule 5, I hereby certify that on this 22<sup>nd</sup>  
day of May, 2017 a true and correct copy of the foregoing was  
served electronically on the following person(s):

Bruce F. Stanford  
Law Offices of Bruce F. Stanford, LLC  
PO Box 873  
Seward, AK 99664

By: s/Cheryl L. Graves

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